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DAVIS & BUJOLD, PLLC

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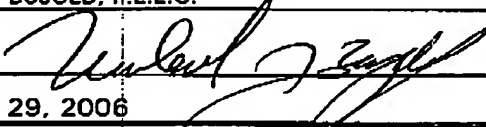
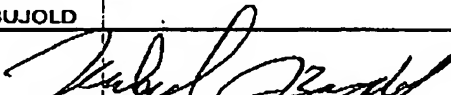
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PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0851-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/573,668
	Filing Date	with an effective filing date of September 29, 2004
	First Named Inventor	Harald ECKERT
	Group Art Unit	
	Examiner Name	Fax: (571) 273-8300
Total No. of Pages in this Submission: 9	Attorney Docket Number	ZAHFRI P846US
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (in Duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/s Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Subm. of Intl Prelim. Exam. Report Int'l Prelim.Exam.Report <div style="text-align: right;"> RECEIVED CENTRAL FAX CENTER AUG 29 2006 </div>
REMARKS		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	Michael J. BUJOLD DAVIS & BUJOLD, P.C.L.C.	Reg. No. 32,018 CUSTOMER NO. 020210
Signature		
Date	August 29, 2006	
CERTIFICATE OF TRANSMISSION		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO on August 29, 2006		
Type or printed name	Michael J. BUJOLD	
Signature	 Date: August 29, 2006 (lfb)	

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8/29/06

PATENT APPLICATION

AUG 29 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Harald ECKERT
Serial no. : 10/573,668
Filed : with an effective filing date of September 29,
2004
For : MACHINE TOOL GEAR MECHANISM
Group Art Unit :
Examiner :
Docket : ZAHFRI P846US

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

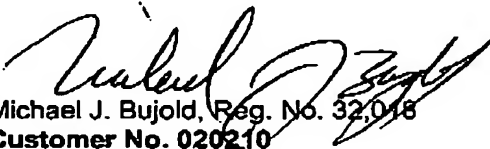
SUBMISSION OF ENGLISH TRANSLATION OF
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Dear Sir:

Enclosed please find an English translation of the International Preliminary Examination Report concerning the above-identified application. Please enter the same into the record of this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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PATENT COOPERATION TREATY

PCT/EP2004/010884

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

TS Eingang

17. Aug. 2006

ZF FRIEDRICHSHAFEN AG
88038 Friedrichshafen
ALLEMAGNE

Date of mailing (day/month/year) 03 August 2006 (03.08.2006)	
Applicant's or agent's file reference 8900 WO PA-RIX	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/010884	International filing date (day/month/year) 29 September 2004 (29.09.2004)
Applicant	ZF FRIEDRICHSHAFEN AG et al

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

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AUG 29 2006

Applicant's or agent's file reference 8900 WO PA-RIX	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2004/010884	International filing date (day/month/year) 29 September 2004 (29.09.2004)	Priority date (day/month/year) 21 October 2003 (21.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant ZF FRIEDRICHSHAFEN AG			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).	
2. This REPORT consists of a total of 6 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.	
3. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input checked="" type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 Form PCT/IB/373 (January 2004)	Date of issuance of this report 27 July 2006 (27.07.2006)
	Authorized officer Yolaine Cussac e-mail: pu11@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		Date of mailing (day/month/year)		See Form PCT/ISA/210 (sheet 2)
Applicant's or agent's file reference 8900 WO PA-RIX		FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/EP2004/010884	International filing date (day/month/year) 29.09.2004	Priority date (day/month/year) 21.10.2003		
International Patent Classification (IPC) or both national classification and IPC B23Q5/04, B23Q11/10, B23Q1/00, F16H57/04, F16H3/54				
Applicant ZF FRIEDRICHSHAFEN AG				

1. This opinion contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basin of the opinion
<input checked="" type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
2. FURTHER ACTION	
<p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(h) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p>	
3. For further details, see notes to Form PCT/ISA/220.	
Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/237 (cover sheet) (January 2014)

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AUG 29 2006

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/010884

Box No. I	Body of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p>

Form PCT/ISA/237 (Box No. 1) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCI/EP2004/010884

Box No. II

Priority

1. ☒ The following document has not yet been furnished:
- ☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 - ☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).
- Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

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AUG 29 2006

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/010884

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting each statement		
1. Statement			
Novelty (N)	Claims 2-4, 6-10	YES	
	Claims 1, 5	NO	
Inventive step (IS)	Claims 3-5, 7-10	YES	
	Claims 2, 6	NO	
Industrial applicability (IA)	Claims 1-10	YES	
	Claims	NO	
2. Citations and explanations:			
1	This opinion makes reference to the following documents:		
	D1: DE 34 47 932 A (WALDRICH WERKZEUGMASCH). 12 September 1985		
	D2: US 4 997 325 A (HEEL HELMUT ET AL) 5 March 1991 (1991-03-05)		
	D3: WO 00/63589 A (ZAHNRADFABRIK FRIEDRICHSHAFEN; ECKERT HARALD (DE)) 26 October 2000 (2000-10-26)		
2	Document D1 discloses (the references between parentheses relate to this document) see page 8, 3rd paragraph: a spindle gear mechanism, with force or torque being transmitted directly from the output shaft (24) of the gear mechanism to the spindle, with the spindle (13) being arranged coaxially to the output shaft, and with a central supply apparatus (37) for cooling lubricant being provided and being mounted in the supply housing (42) such that it can rotate.		
2.1	INDEPENDENT CLAIM 1		

Form PCT/ISA/237 (Box No. V) (January 2004)

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AUG 29 2006

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY	International application No. PCT/EP2004/010884
Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
<p>Document D1 therefore discloses all of the features cited in independent claim 1 in conjunction with one another. The subject matter of this claim is therefore not novel (PCT Article 33(2)).</p>	
<p>3 DEPENDENT CLAIMS 2, 5, 6</p> <p>Claims 2, 5, 6 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCI requirements for novelty and inventive step. D2 discloses a hydraulic plug connection between the spindle and the drill chuck, this connection having sealing washers and a non-return valve. A person skilled in the art adopts this connection in D1 in order to improve sealing.</p>	
<p>4 DEPENDENT CLAIMS 3, 4, 7-10</p> <p>The combination of features contained in the dependent claims is neither known from the available prior art nor suggested by it.</p>	